



November 20, 2008

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: D Block Auction
WT Docket No. 06-150

Dear Chairman Martin:

Fisher Wireless Services, Inc. (FWSI) is a long-standing licensee of the FCC. We have been a provider of commercial mobile service for many years and have operated multi-state 800 MHz, 900 MHz and 450 MHz networks on Part 90 spectrum serving enterprise companies, public safety entities and consumers. FWSI has participated in a number of FCC auctions and has been successful in acquiring spectrum in some of them.

Although FWSI has followed the FCC proceeding involving the 700 MHz D Block from the outset, we had no expectation that we could even be an auction participant. We have experience in serving public safety users and are familiar with the cost and complexity of building and operating a network that could meet reasonable public safety requirements. However, despite our belief that the FCC's public-private partnership was the right way, actually the only way to get this critical network built, when the single auction opportunity was a nationwide license with a \$1.3 billion dollar reserve price, there was no possibility for a company as small and locally oriented as ours to participate.

The changes proposed in the FCC's Third Further Notice have caused us to rethink that position. The proposal to allow bidding on a statewide, rather than nationwide, basis has a significant impact on our potential interest in participating in the auction. Adoption of that approach would allow even a small company such as FWSI, either alone or a part of a group, to consider bidding on a geographic area in which we already have tower facilities, backhaul capability and other elements that would make deployment of a 700 MHz network much less costly. We have begun the process of exploring that possibility and await the FCC's decision on these matters with great interest.

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Even then, however, the greatest barrier to our participation remains the minimum opening bid prices. We recognize that the FCC has already reduced that amount substantially from the original \$1.3 billion. Nonetheless, the FCC is seeking companies that are willing to become partners with public safety in the construction of a highly ambitious network during the worst financial crisis in decades. We were pleased to see the FCC state specifically in the Third Further Notice that the success of this auction should be determined by whether or not the shared public safety-commercial network gets built, and not by what auction revenue gets deposited in the Treasury. That is the right public interest decision and it should be backed up with an even further reduction in the minimum opening bid prices.

FWSI understands that those minimum opening bid prices are an important tool for winnowing out speculators and the truly unqualified who would not be acceptable partners for public safety. But by maintaining the current proposed levels, the FCC may also preclude companies like ours from bidding in the auction even though we know how to build and operate statewide and multi-state networks and how to work with public safety users to meet their needs. We have talked with other smaller commercial operators in our area and in other parts of the county that feel the same way. They would be extremely interested in pursuing this network opportunity in the more manageably-sized geographic areas proposed, but they can do that only if they succeed in the D Block auction. And that is not likely to happen unless there is a further reduction in the minimum opening bid prices.

We agree fully that the partnership approach proposed by the FCC is essential to seeing a nationwide interoperable broadband public safety get built. FWSI is eager to be a part of what we believe will be the most worthwhile project the FCC has ever authorized. We urge the FCC to approve a further reduction in the price of auction participation so that FWSI and other small but successful wireless competitors around the country can help to build this absolutely essential network.

Very truly yours,



Dana B. Fisher
President